IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3419 OF 2007

Sunil @ Pravin Uttam Bhosale ..Applicant

Versus

The State of Maharashtra ..Respondent

Mr.Shivaji Farkate with Vijay Patil for the applicant.

Mr.U.V.Nikam APP for the Respondent/State.

Coram : V.C.Daga,J

Date : 16.10.2007.

PC

1. Heard learned Counsel for the applicant and learned APP for the State.

2. The applicant is seeking bail in connection with C.R.No.144/2007 registered with Karad Police station, Karad for the offences punishable under Sections 120(B), 364(A), 394, 387, 380, 343, 347 of IPC. This application has been moved after suffering an adverse order dated 19.9.2007 at the hands of Additional Sessions Judge at Karad. The contents of the order are as follows :-

> . Looking to the argument advanced by Mr.M.T.Yadav, it appears that this is not stage on which his argument can be considered. At this stage the court has

to see whether there are reasons to believe that the accused/applicants have committed offence or not. On perusal of the statements of the complainant and other witnesses it appears that they were taken from place to place by and at the instance of accused Rajendra and in that process the present applicants have been actively participated. Therefore there is sufficient evidence against the accused persons. The offence levelled against the accused persons are for demanding randsom including criminal conspiracy appears to be very serious in nature. From the papers of investigation it appears that witness Kaish was compelled to withdraw some amount from the bank. He was also compelled to deliver some cash after selling gold ornaments ;

. Looking to the statements of the complainant and witnesses it appears that there is sufficient evidence against the accused for the offence levelled against them ;

. The original complainant appeared in the Court and filed four affidavits at Exh.15, 16, 17 & 23 and has stated the manner in which the applicants committed the offence. He further apprehends the danger from the accused persons if they are released on bail. Considering the facts and circumstances of the case, I do not think that the accused/applicants are entitled for the bail. Hence, the following order.

3. There is sufficient material available on the record to implicate the present applicant. There is a confessional statement given by the co-accused that is sufficient to corroborate the other evidence available on record so as to implicate the present applicant. There is no case made out for grant of bail. Application is therefore, liable to be rejected. Application is hereby rejected.

(V.C.Daga,J)